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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HBC HAMBURG BULK CARRIERS
GMBH & CO. KG,

Plaintiffs,

-against-

PROTEINAS Y OLEICOS S.A. DE
C.V.,

Defendants.

04 CV 6884 (NRB)
ECF CASE

**DECLARATION IN
SUPPORT OF MOTION
TO VACATE
ATTACHMENT**

MYRTLE MOOSE

deposes and says:

1. I am the controller of Agribands Purina Mexico ("APM"). This declaration is made to the best of my knowledge and belief upon inquiry made to APM and its affiliates, and is submitted in respect of an application to vacate an attachment of a remittance in the amount of USD\$33,539.43 that has been frozen by Bank of America pursuant to the order of Judge Naomi R. Buchwald, US District Judge, United States District Court,

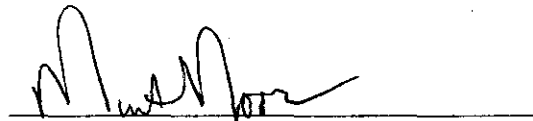
Southern District of New York, issued 25 August 2004 in the above-referenced litigation.

2. The funds in question represent an electronic funds transfer initiated at the request of APM for payment of its obligations to Proteinas y Oleicos S. A. de C.V. ("Proteinol") pursuant to Proteinol purchase and sale contract no. C0002048 covering soya paste delivered to APM from Proteinol's plant in Celaya, Guanajuato (Bajio), Mexico in August 2004.
3. This purchase was priced and payable in US Dollars, which meant that electronic funds transfers were required to go through banks in the United States. On July 30, 2003, Proteinol issued general payment instructions to its customers, which applied to this Purchase Order.
4. Pursuant to Proteinol's payment instructions, US Dollar payments for products supplied from Proteinol's plant in Celaya, Guanajuato (Bajio), Mexico were to be made to Proteinol's bank in Bajio, Banco Del Bajio S. A. de C.V. ("Bajio"), via Bajio's correspondent, Bank of America NT & SA in Concord, California.
5. On or about September 1, 2004, at APM's request, its affiliate Cargill de Mexico S.A. de C.V. instructed Bank of America in Miami, Florida to transmit USD\$33,539.43 to Proteinol's account at Bajio via Bajio's correspondent, Bank of America NT & SA in Concord, California.

6. Bank of America in Miami, Florida is the point of origin of the funds transfers in question as that is where APM's affiliate, Cargill de Mexico S.A. de C.V. has a US Dollar account.

Pursuant to 28 U. S. C. § 1746 (1), I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and belief.

Executed at Irapuato, Guanajuato, Mexico on December 20, 2004

A handwritten signature in black ink, appearing to read 'Myrtle Moose', is written over a horizontal line.

Myrtle Moose
Controller – Agribands Purina Mexico